

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-161131-001 DT

09/10/2013

HONORABLE JAY L. DAVIS

CLERK OF THE COURT

M. A. Nash

Deputy

STATE OF ARIZONA

EMILY MARIE HOVATER

v.

JORGE MENDEZ CONTRERAS (001)

DOB: 04/12/1979

KIRK A MORRIS

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:44 a.m.

Courtroom 3D, South Court Tower

State's Attorney:	Josh Yost
Defendant's Attorney:	Kirk Morris
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

This is the time and date set for Acceptance of Plea and Sentencing in the above-entitled cause number.

The Defendant's wife addresses the Court at this time on the Defendant's behalf.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-161131-001 DT

09/10/2013

The Defendant's mother addresses the Court at this time on the Defendant's behalf.

The plea is accepted.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 POSSESSION OF MARIJUANA

Class 6 Designated Felony

A.R.S. § 13-3401, 13-3405, 13-3405(A)(1), 13-3416, 13-3418, 13-610, 12-269, 13-701, 13-702, 13-801, 13-901.01(D), 13-901.01(H)

Date of Offense: 12/01/2012

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 2 Years

Upon absolute discharge from prison for a separate offense in CR2013-432841-001.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state of Arizona.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning the 1st day of the 3rd month after release from custody.

FINE: Count 1 - Total amount of \$1372.50, which includes surcharges of 83%, payable \$35.00 per month beginning the 1st day of the 3rd month after release from custody.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-161131-001 DT

09/10/2013

PROBATION SURCHARGE: Count 1 - \$20.00 payable on the 1st day of the 3rd month after release from custody.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on the 1st day of the 3rd month after release from custody.

WARRANT CHARGE: Count 1 - \$45.00, payable on the 1st day of the 3rd month after release from custody.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on the 1st day of the 3rd month after release from custody.

Investigative Agency: Phoenix Police Department

Count 1: \$15.00 to the Drug Lab Remediation payable on the 1st day of the 3rd month after release from custody.

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 24 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-161131-001 DT

09/10/2013

IT IS ORDERED granting the Motion to Dismiss the following: Count 2 and The State will not allege the Defendant's prior felony convictions.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

The presentence investigation report is filed under this cause number.

11:06 a.m. Matter concludes.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-161131-001 DT

09/10/2013

Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JAY L. DAVIS
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)